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FEDERALISM

STATEMENT OF PRINCIPLES

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- 1. Federalism is rooted in the knowledge that our political liberties are best assured by limiting the size and scope of the national government.
- 2. The people of the States created the national government when they delegated to it those enumerated governmental powers relating to matters beyond the competence of the individual States. All other sovereign powers, save those expressly prohibited the States by the Constitution, are reserved to the States or to the people.
- 3. The constitutional relationship among sovereign governments, State and national, is formalized in and protected by the Tenth Amendment to the Constitution.
- 4. The people of the States are free, subject only to restrictions in the Constitution itself or in constitutionally authorized Acts of Congress, to define the moral, political, and legal character of their lives.
- 5. In most areas of governmental concern, State and local governments uniquely possess the constitutional authority, the resources, and the competence to discern the sentiments of the people and to govern accordingly. In Jefferson's words, the States are "the most competent administrations for our domestic concerns and the surest bulwarks against antirepublican tendencies."
- 6. The nature of our constitutional system encourages a healthy diversity in the public policies adopted by the people of the several States according to their own conditions, needs, and desires. In the search for enlightened public policy, individual States and communities are free to experiment with a variety of approaches to public issues.
- 7. Acts of the national government -- whether legislative, executive, or judicial in nature -- that exceed the enumerated powers of that government under the Constitution violate the principle of federalism established by the Founders.
- 8. Policies of the national government should recognize the responsibility of -- and should encourage opportunities for -- individuals, families, neighborhoods, local governments and private associations to achieve their personal, social, and economic objectives through cooperative effort.

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- 9. In the absence of clear constitutional or statutory authority, the presumption of sovereignty should rest with the individual States. Uncertainties regarding the legitimate authority of the national government should be resolved against regulation at the national level.
- 10. These principles should guide the departments and agencies of the national government in the formulation and implementation of policies and regulations.

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